

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re the Application of: Martin Zilliacus | Atty. Docket No.: 004770.00261 |
| Serial No.: 10/777,284 | Group Art Unit: 2452 |
| Filed: November 5, 2004 | Examiner: DOAN, DUYEN MY |
| For: Apparatus and Associated Method for Downloading an Application With a Variable Lifetime to a Mobile Terminal | Confirmation No.: 5467 |

RESPONSE TO
NOTICE OF NON-COMPLIANT APPEAL BRIEF

U.S. Patent and Trademark Office
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401 Dulany Street
Alexandria, VA 22314

Sir:

This is in response to the Notice of Non-Compliant Appeal Brief mailed on July 22, 2009. According to the Notice, the status of canceled claims 1-22 was not included in the status of the claims section. Appellant hereby submits an amended appeal brief including a sentence confirming that canceled claims 1-22 have in fact been canceled. No fee is believed to be due in connection with this filing. However, if any fees are due, the PTO is directed to debit our Deposit Account No. 19-0733.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: August 7, 2009

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